



07-17-07

3731

PATENT  
Attorney Docket No. 101.0042-05000  
Customer No. 22882

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
Gary K. Michelson, M.D. ) Group Art Unit: 3731  
Serial No.: 10/098,683 )  
Filed: March 15, 2002 ) Examiner: U. Ho  
For: Spinal Implant Containing Bone )  
Morphogenetic Protein )

RECEIVED  
JUL 23 2003  
TECHNOLOGY CENTER R3700

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**CERTIFICATE OF MAILING VIA U.S. EXPRESS MAIL**

Express Mail Mailing Label No. EV 321 290 037 US  
Date of Deposit: July 15, 2003

I hereby certify that:

1. Transmittal (in duplicate)
2. Amendment
3. Information Disclosure Statement; Form PTO-1449 with 29 documents
4. Check in the amount of \$1,560 (additional claims fee, three-month extension and IDS fee)
5. Self-addressed return postcard receipt

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 C.F.R. § 1.10 on the date indicated above and are addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Date:

7/15/03

Anita Chou

14500 Avion Parkway, Suite 300  
Chantilly, VA 20151-1101  
Telephone: 703-679-9300  
Facsimile: 703-679-9303



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Gary K. Michelson, M.D.

Serial No.: 10/098,683

Filed: March 15, 2002

For: Spinal Implant Containing Bone  
Morphogenetic Protein
 )  
 )  
 ) Group Art Unit: 3731  
 )  
 ) Examiner: U. Ho  
 )  
 )  
 )

 RECEIVED  
 JUL 23 2003  
 TECHNOLOGY CENTER H3700

 Assistant Commissioner for Patents  
 Washington, D.C. 20231

Dear Sir:

Transmitted herewith is a reply to the Office Action dated January 15, 2003 in the above-identified application.

- ☒ Applicant hereby requests a three (3) month extension of time to respond to the above office action.
- ☒ Information Disclosure Statement with Form PTO-1449 and 29 documents

The fee has been calculated as shown below:

	(Col. 1) CLAIMS REMAINING AFTER AMENDMENT		(Col. 2) HIGHEST NUMBER PREVIOUSLY PAID FOR		(Col. 3) PRESENT EXTRA*	LG \$ ENTITY FEE		ADD'L FEE DUE
TOTAL CLAIMS FEE	50	-	25	=	25	LG=\$18	\$18	\$ 450
INDEPENDENT CLAIMS FEE	2	-	3	=	0	LG=\$84	\$84	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIMS						LARGE ENTITY FEE = \$280		\$
three (3) month extension fee (large entity)								\$ 930
Information Disclosure Statement fee								\$ 180
						TOTAL		\$1,560

- ☒ A check in the amount of \$1,560 to cover the above fees is enclosed.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-1066. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

 Respectfully submitted,  
 MARTIN & FERRARO, LLP

By

Amedeo F. Ferraro

Registration No. 37,129

Attorney for Applicant

Date:

7-15-03

 14500 Avion Parkway, Suite 300  
 Chantilly, VA 20151-1101  
 Telephone: 703-679-9300  
 Facsimile: 703-679-9303